

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

TERRY KLEIN derivatively on behalf of
PATRIOT COAL CORPORATION,

Plaintiff,

v.

CITIGROUP, INC. and PATRIOT COAL
CORPORATION,

Defendants.

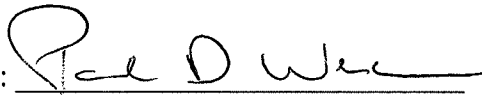
**NOTICE OF
VOLUNTARY DISMISSAL**

Civil Action No. 11 CIV 6853(LBS)

PLEASE TAKE NOTICE that pursuant to Fed R. Civ. P. 41 (a)(i), plaintiff Terry
Klein hereby dismisses this action.

New York, New York
January 30, 2012

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& SQUIRE, P.C.

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